

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

STATE MS. - DESOTO CO.
FILED

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OLIVIA CLAYTON, also known as,
OLEVIA CLAYTON, By and Through
Her Attorney in Fact, MILTON DOWELL
and NATHAN E. COOK, and wife,
JOYCE L. G. COOK,

PETITIONERS

VS.

CAUSE NO. 00-5-789 B

RICKY ODOM, ROSIE ODOM,
DEPOSIT GUARANTY NATIONAL
BANK, now known as, AMSOUTH BANK,
and MISSISSIPPI POWER AND
LIGHT COMPANY, now known as ENTERGY,

RESPONDENTS

DEFAULT JUDGMENT

This cause came on for hearing this day, the same being a day in the Chancery Court of DeSoto County, Mississippi, upon the Amended Petition to Confirm and Quiet Title and Remove Any Cloud on Title exhibited by the Petitioners against the Respondent, Deposit Guaranty National Bank, now known as, AmSouth Bank; and the Court being fully advised in the premises finds that Petitioner is entitled to the entry of a default judgment; and it appearing to the Court, as follows:

1. That an Amended Petition was filed in this cause and that personal service of process was obtained on the Respondent, Deposit Guaranty National Bank, now known as, AmSouth Bank, with service upon its registered agent on May 18, 2001.

2. That said Respondent, has neither filed, answered nor appeared in this Court after being called so three times in open Court; that said Respondent's failure to answer this cause and further answer the call of this cause, places said Respondent in default thereof.

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WE DAVIS, CLERK

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MINUTE BOOK 301 PAGE 508

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3. That under the circumstances, Petitioners are entitled to a Default Judgment against said Respondent. That Petitioners' damages are readily ascertainable and that a writ of inquiry is not necessary.

4. That Petitioners have made proper application for default and a docket entry of default having been entered on August 6, 2001, with the Chancery Court of DeSoto County, Mississippi.

IT IS THEREFORE ORDERED AND ADJUDGED, as follows:

1. That the Petitioner, Olivia Clayton, a/k/a, Olevia Clayton be and is hereby granted a default judgment against Respondent, Deposit Guaranty National Bank, now known as, AmSouth Bank. Further, as to said Respondent, title to the below described property be and the same is hereby confirmed in favor of Petitioner, Olivia Clayton, a/k/a Olevia Clayton, in fee simple and said Respondent have no further ownership or other interest in the property herein described, to wit: being a part of the East ½ of the Northeast 1/4 of Section 14, Township 2 South, Range 9 West, DeSoto County, Mississippi, better known as 7211 Austin Road and more particularly described as follows:

A 1.7 acre, more or less, tract known as 7211 Austin Road, Lake Cormorant, Mississippi, being a portion of the East ½ of the Northwest 1/4 of Section 14, Township 2 South, Range 9 West, DeSoto County, Mississippi, and being more accurately described as follows:

13.8 acres in the Northeast Quarter of Section 14, Township 2, Range 9 described as: Beginning at a point 12.6 chains West of the Northeast corner of Section 14; thence South 5° 23' East 26.82 chains to the Southeast corner of the Clayton property; thence South 86° 05' West 5.182 chains to the Southeast corner of the property conveyed to G. W. Datson by deed in Book 87, Page 450; thence with Datson's East line North 5° 20' West 26.82 chains to the North line of the Section; thence East on the Section line 5.182 chains to the point of beginning containing 13.8 acres, more or less and being the East 13.8 acres of Lot 2 of the division of the Aaron Clayton Estate as shown by the plat recorded in Plat Book 32, Page 36.

Less and Except the following:

2.0 acres more or less conveyed by Warranty Deed from Olivia Clayton to Ricky Odom and Rosie Odom recorded in Deed Book 213, Page 669;

2.49 acres, more or less, conveyed from Olivia Clayton to Ricky Odom by Warranty Deed recorded in Deed Book 231, Page 515; and

7.60 acres, more or less, being conveyed by Olivia Clayton by Quitclaim Deed to Ricky Odom and recorded in Deed Book 294, Page 668.

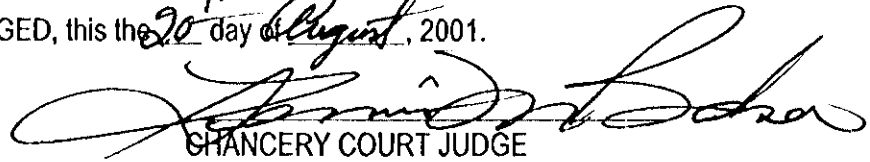
2. That the Petitioners, Nathan E. Cook, and wife, Joyce L.G. Cook, be and are hereby granted a default judgment against Respondent, Deposit Guaranty National Bank, now known as, AmSouth Bank. Further, as to said Respondent, the below described property be and the same is hereby confirmed in favor of Petitioners, Nathan E. Cook, and wife, Joyce L.G. Cook in fee simple and said Respondent have no further ownership or other interest in the property herein described, to wit: the Northeast Quarter of Section 14, Township 2 South, Range 9 West, DeSoto County, Mississippi, also known as Lot #1 and part of Lot #2 of the Aaron Clayton Estate and more particularly described as follows:

20.0 acres, more or less, being part of the northeast quarter of Section 14, Township 2 South, Range 9 West, DeSoto County, Mississippi and described as follows:
Commencing at the commonly accepted northeast corner of Section 14, Township 2 South, Range 9 West. Said point being located in Austin Road and marked by a PK nail. Thence S 84 degrees 34' 51" W-1166.81' along the north line of said section and Austin Road to a point in said roadway. Said point being the northwest corner of the Clayton tract as recorded in Deed Book 123, Page 189, and at the northwest corner of said 20.0 acres and the point of beginning (point marked by a 3/4 pipe set 17.36' south on line. Thence S 05 degrees 20' 21" E-1766.74' along the west line of the Clayton tract and the west line of the Odom Subdivision as recorded in Plat Book 59, Page 9 to 1/2 rebar at the southwest corner of said subdivision and on the north line of the Mangum tract as recorded in Deed Book 171, Page 221. Thence S 85 degrees 29' 09" W-102.05' along the north line of the Mangum tract to a 3/4 pipe at the northwest corner of the Mangum tract and the northeast corner of the McGowen tract as recorded in Deed Book 223, Page 555. Thence S 85 degrees 36' 40" W-392.61' along the north line of the McGowen tract to a 3/4 pipe at the northwest corner of the McGowen tract and on the east line of the Don Robertson tract. Thence N 05 degrees 14' 10" W-1770.37' along the east line of the Robertson tract and the east line of the Comb's tract to a point in Austin Road (point marked by a 3/4 pipe set 17.36' south on line). Thence N 85 degrees 43' 43" E-491.5' to the point of beginning. Parcel being the west 3.077 acres of lot 2 and all of lot 1 of the Aaron Clayton Estate survey by Sam W. McCleskey dated March

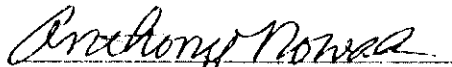
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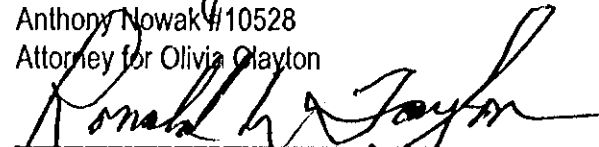
3. The Clerk of this Court is hereby requested and directed to record a certified copy of this default judgment on the Land Records of DeSoto County, Mississippi.

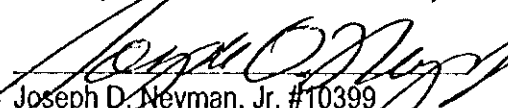
ORDERED AND ADJUDGED, this the ^{4th} ~~20th~~ day of ~~August~~, 2001.

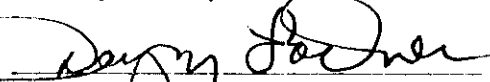

CHANCERY COURT JUDGE

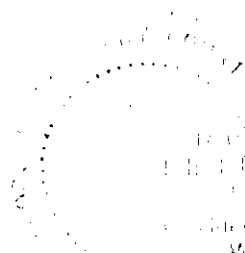
Approved as to Form:

By: 
Anthony Nowak #10528
Attorney for Olivia Clayton

By: 
Ronald L. Taylor #7993
Attorney for Nathan E. Cook and Joyce L.G. Cook

By: 
Joseph D. Neyman, Jr. #10399
Attorney for Ricky Odom and Rosie Odom

By: 
Dempsey Ladner #1759
Attorney for Entergy


CLERK OF THE CHANCERY COURT OF DE SOTO COUNTY, MISSISSIPPI
W. L. Davis, Clerk of the chancery court
21st day of August, 2001
S. Patrick